

AN ACT

relating to the classroom placement of multiple birth siblings in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 25, Education Code, is amended by adding Section 25.043 to read as follows:

Sec. 25.043. CLASSROOM PLACEMENT OF MULTIPLE BIRTH SIBLINGS. (a) In this section:

(1) "Multiple birth sibling" means a twin, triplet, quadruplet, or other sibling resulting from a multiple birth.

(2) "Parent" includes a person standing in parental relation.

(b) The parent of multiple birth siblings who are assigned to the same grade level and school may request in writing, not later than the 14th day after the first day of enrollment, that the school place the siblings in the same classroom or in separate classrooms.

(c) Except as provided by Subsection (d) or (g), a school shall provide the multiple birth siblings with the classroom placement requested by the parent.

(d) At the end of the first grading period following the multiple birth siblings' enrollment in the school, if the principal of the school, in consultation with the teacher of each classroom in which the multiple birth siblings are placed, determines that the requested classroom placement is disruptive to the school, the

1 principal may determine the appropriate classroom placement for the  
2 siblings.

3 (e) A parent may appeal the principal's classroom placement  
4 of multiple birth siblings in the manner provided by school  
5 district policy. During an appeal, the multiple birth siblings  
6 shall remain in the classroom chosen by the parent.

7 (f) The school may recommend to a parent the appropriate  
8 classroom placement for the multiple birth siblings and may provide  
9 professional educational advice to assist the parent with the  
10 decision regarding appropriate classroom placement.

11 (g) A school district is not required to place multiple  
12 birth siblings in separate classrooms if the request would require  
13 the school district to add an additional class to the grade level of  
14 the multiple birth siblings.

15 (h) This section does not affect:

16 (1) a right or obligation under Subchapter A, Chapter  
17 29, or under the Individuals with Disabilities Education Act (20  
18 U.S.C. Section 1400 et seq.) regarding the individual placement  
19 decisions of the school district admission, review, and dismissal  
20 committee; or

21 (2) the right of a school district or teacher to remove  
22 a student from a classroom under Chapter 37.

23 SECTION 2. Section 25.043, Education Code, as added by this  
24 Act, applies beginning with the 2007-2008 school year.

25 SECTION 3. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 314

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2007.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 314 was passed by the House on March 28, 2007, by the following vote: Yeas 143, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 314 on May 3, 2007, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 314 was passed by the Senate, with amendments, on April 26, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor